



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,297	11/20/2003	Timothy Gerrit Deboer	CA920020055US1	9784
35525	7590	08/21/2009		
IBM CORP (YA)			EXAMINER	
C/O YEE & ASSOCIATES PC			SIKRI, ANISH	
P.O. BOX 802333			ART UNIT	PAPER NUMBER
DALLAS, TX 75380			2443	
			NOTIFICATION DATE	DELIVERY MODE
			08/21/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeeiplaw.com

Office Action Summary	Application No.	Applicant(s)
	10/718,297	DEBOER ET AL.
	Examiner	Art Unit 2443
	ANISH SIKRI	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 24 March 2009.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-33 and 35 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-33 and 35 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 20 November 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/06)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____

5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

Claim 34 cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-33, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable by Christfort et al (US Pub 2002/0078168) hereafter known as Christfort, in view of Uszok et al (US Pub 20040205772) hereafter known as Uszok.

Consider Claim 29, Christfort disclosed A computer readable media storing instructions to be executed by a processor of a computer system (Christfort, [0298]), said processor of the computer system executing an integrated development environment (IDE) for generating code for executing in a client-server environment (Christfort, [0080], Christfort discloses an IDE for executing code), to: process an input object identifying code for executing on one of a plurality of servers (Christfort, [0022], Christfort disclosed on identifying several types of input objects which can be used for coding for the application) said processing using a view list of at least one input object element (Christfort, [0022], Christfort discloses on view several input object codes which are presented to the user), each input object element processing a type of code identified by the input object to output a deployable object (Christfort, [0022], Christfort

discloses on how the application code is selected by an object on the interface, and the application code may be executed in a response to a request for a service from an end user); process the deployable object using a server list of at least one server element to determine the one of the plurality of servers for executing the code (Christfort, [0062], Christfort does show the server list for example containing host servers on a portal page), each server element enabling the deployable object to execute on a particular server and outputting a launchable object (Christfort, [0094]-[0095], Christfort disclosed on how objects/created applications are launched via the system); and process the launchable object using a launcher list of at least one client element to determine a client for launching the code on the one of the plurality of servers (Christfort, [0093], Christfort indicates on how portal-to-go XML document or application program containing the code generates the output, and how the output is launched by the system).

But Christford does not explicitly disclose said instructions defining an extensible mechanism for executing said code on a server that, when deployed on said computer system, adapts said IDE for handling new code types

Nonetheless, Uszok discloses said instructions defining an extensible mechanism for executing said code on a server that (Uszok, [0129], Uszok, discloses how the SDK can be used to generate a bot code "executable code" mechanism), when deployed on said computer system, adapts said IDE for handling new code types (Uszok, [0129], Uszok discloses on how the bot code is able to implement a selection of predetermined protocols set in the SDK).

Both Chirstford, and Uszok provide features related to SDK/IDE management. Therefore one of ordinary skill in the art would have been motivated to combine the teachings since both are within the same environment.

Therefore, it would have been obvious to a person skilled in the art at the time of the invention was made to incorporate executable code mechanism by the SDK/IDE, taught by Uszok, in the system of Christford for the purpose of efficient code execution mechanism.

Claim 1, has similar limitations as Claim 29, therefore it is rejected under the same rational as Claim 1.

Consider Claim 2, Christfort-Uszok disclosed method of claim 1 wherein processing the input object to identify the code for executing on the one of the plurality of servers (Christfort, [0022], Christfort disclosed on identifying several types of input objects which can be used for coding for the application) includes using a view list of at least one input element for processing a type of code identified by the input object (Christfort, [0022], Christfort discloses on view several input object codes which are presented to the user), processing the generated code includes using a server list of at least one server element for determining the one of the plurality of servers (Christford, [0093], Christfort indicates on how portal-to-go XML document or application program containing the code generates the output, and how the output is

launched by the system), and identifying the one of the plurality of client applications includes using a launcher list of at least one client element for launching the one of the plurality of client applications (Christfort, [0062], Christfort does show the server list for example containing host servers on a portal page).

Consider Claim 3, Christfort-Uszok disclosed method of claim 2 wherein at least one of the view list (Christfort, [0022], Christfort discloses on view several input object codes which are presented to the user), server list (Christfort, [0062], Christfort does show the server list for example containing host servers on a portal page) and launcher list is extensible to accommodate additional respective elements (Christfort, [0093], Christfort indicates on how portal-to-go XML document or application program containing the code generates the output, and how the output is launched by the system).

Claim 4, has similar limitations as Claim 3, therefore it is rejected under the same rational as Claim 3.

Claim 5, has similar limitations as Claim 3, therefore it is rejected under the same rational as Claim 3.

Consider Claim 6, Christfort-Uszok disclosed the method of Claim 1, wherein processing the input object comprises (Christfort, [0022], Christfort disclosed on

identifying several types of input objects which can be used for coding for the application); analyzing the input object to determine an input object element for processing the input object (Christfort, [0080], Christfort discloses on what the input object is); and processing the input object using the determined input object element (Christfort, [0086], Christfort discloses on how the object code is created and developed).

Claim 7, has similar limitations as Claim 6, therefore it is rejected under the same rational as Claim 6.

Consider Claim 8, Christfort-Uszok disclosed the method of Claim 1, wherein the processing the generated code comprises: analyzing a server element for enabling a deployable object (Christfort, [0087]-[0088], Christfort disclosed on how the portal XML to go is analyzed); and processing the deployable object using the determined server element (Christfort, [0093], Christfort disclosed on how the object is deployed with the aid of the XML document).

Consider Claim 9, Christfort-Uszok, Christfort disclosed the method of Claim 8 including processing user input (Christfort, [0091], Christfort discloses on how user input is obtained) to determine the server element (Christfort, [0091], [0093]).

Consider Claim 10, Christfort-Uszok disclosed the method of claim 1 wherein identifying

the one of the plurality of client applications (Christfort, [0095], Christfort disclosed on which identifying the list of applications available) comprises: analyzing a launchable object to determine a client element for processing the launchable object (Christfort, [0094], Christfort disclosed on how the newly created application is launched); and processing the launchable object using the determined client element (Christfort, [0094]-[0095]).

Consider Claim 11, Christfort-Uszok disclosed the method of claim 10, including processing user input to determine the server element (Christford, [0091]).

Claim 12, has similar limitations as Claim 29, therefore it is rejected under the same rational as Claim 29.

Claim 13, has similar limitations as Claim 2, therefore it is rejected under the same rational as Claim 2.

Claim 14, has similar limitations as Claim 3, therefore it is rejected under the same rational as Claim 3.

Consider Claim 15, Christfort-Uszok disclosed the extensible mechanism of Claim 12 wherein said server mechanism comprises a server list of at least one server element (Christford, [0075]-[0076]), each server element enabling the deployable object to execute on a particular server and processing the deployable object for outputting a launchable object (Christford, [0076]).

Claim 16, has similar limitations as Claim 3, therefore it is rejected under the same rational as Claim 3.

Claim 17, has similar limitations as Claim 10, therefore it is rejected under the same rational as Claim 10.

Claim 18, has similar limitations as Claim 3, therefore it is rejected under the same rational as Claim 3.

Consider Claim 19, Christfort-Uszok disclosed the extensible mechanism of claim 12 wherein said extensible mechanism is adapted to launch the one of the plurality of client applications (Christfort, [0095], Christfort disclosed on which identifying the list of

applications available) determined in response to the launchable object for executing the code on the one of the plurality of servers (Christford, [0093], Christfort indicates on how portal-to-go XML document or application program containing the code generates the output, and how the output is launched by the system).

Consider Claim 20, Christfort-Uszok disclosed extensible mechanism of claim 12 wherein at least one of said view mechanism, server mechanism, and launcher mechanism (Christfort, [0022], Christfort discloses on view several input object codes which are presented to the user) is extensible whereby said view mechanism is extensible to accommodate a plurality of code types (Christfort, [0022]), said server mechanism is extensible to accommodate a plurality of servers (Christfort, [0062]), Christfort does show the server list for example containing host servers on a portal page) and said launcher mechanism is extensible to accommodate a plurality of client applications (Christfort, [0095]-[0096]).

Consider Claim 21, Christfort-Uszok disclosed extensible mechanism of claim 12 wherein said view mechanism (Christfort, [0022], Christfort discloses on view several input object codes which are presented to the user) is adapted to analyze the input object to determine an input object element for processing the input object and process the input object using the determined input object element (Christford, [0080]-[0084],

Christford discloses on how the input entered is analyzed and processed by the system).

Claim 22, has similar limitations as Claim 21, therefore it is rejected under the same rational as Claim 21.

Claim 23, has similar limitations as Claim 15, therefore it is rejected under the same rational as Claim 15.

Claim 24, has similar limitations as Claim 23, therefore it is rejected under the same rational as Claim 23.

Consider Claim 25, Christfort-Uszok disclosed the extensible mechanism of claim 21 wherein said launcher mechanism (Christfort, [0094]-[0095]) is adapted to analyze the launchable object to determine a client element for processing the launchable object (Christfort, [0091]); and process the launchable object using the determined client element (Christford, [0090]-[0091]).

Consider Claim 26, Christfort-Uszok disclosed the extensible mechanism of claim 25 wherein said launcher mechanism is further adapted for processing user input to determine the server element (Christfort, [0091]).

Consider Claim 27, Christfort-Uszok disclosed extensible mechanism of claim 12 wherein said extensible mechanism is adapted to be integrated into an integrated development environment (Christfort, [0080]).

Consider Claim 28, Christfort-Uszok disclosed a computer program product embodied in a computer readable medium having instructions that are to be executed by a processor to have a computer system perform a method in accordance with claim 1 (Christfort, [0298]).

Consider Claim 30, Christfort-Uszok disclosed computer readable media (Christfort, [0298]). of claim 29 wherein said IDE (Christfort, [0080]) is further adapted for modifying at least one of the view list, server list and launcher list (Christfort, [0084]).

Claim 31, has similar limitations as Claim 30, therefore it is rejected under the same rational as Claim 30.

Consider Claim 32, Christford disclosed: maintaining at least one of: a view list of at least one input object element (Christford, [0080], Christford discloses a list of inputs which are available to the user), each input object element processing a type of code identified by the input object to output a deployable object (Christford, [0080]-[0084]) a server list of at least one server element to determine one of a plurality of servers for executing the code (Christford, [0091], Christford disclosed on any numbers of servers can be used), each server element enabling the deployable object to execute on a particular server and outputting a launchable object (Christford, [0095], Christfort discloses on how objects are launched); and a launcher list of at least one client element to determine one of a plurality of client applications (Christford, [0076]) for launching the code on the one of the plurality of servers (Christfort, [0062], Christfort does show the server list for example containing host servers on a portal page).

But Christford does not explicitly disclose said instructions defining an extensible mechanism for executing said code on a server that.

Nonetheless, Uszok discloses said instructions defining an extensible mechanism for executing said code on a server that (Uszok, [0129], Uszok, discloses how the SDK can be used to generate a bot code “executable code” mechanism),

Both Chirstford, and Uszok provide features related to SDK/IDE management. Therefore one of ordinary skill in the art would have been motivated to combine the teachings since both are within the same environment.

Therefore, it would have been obvious to a person skilled in the art at the time of the invention was made to incorporate executable code mechanism by the SDK/IDE, taught by Uszok, in the system of Christford for the purpose of efficient code execution mechanism.

Consider Claim 33, Christford-Uszok disclosed the method of claim 32 wherein the step of maintaining comprises at least one of: generating a respective element; adding a respective element; configuring a respective element; and deleting a respective element from at least one of the view list (Christford, [0080], Christford disclosed on how elements can be entered/modified when being configured to be used in the system), server list (Christford, [0075]-[0076], [0095] Christford disclosed on which server to be used), and launcher list (Christford, [0095], gives the option to launch a specific application).

Consider Claim 35, Chirstford-Uszok discloses the computer readable media of claim 29, further comprising: perform a compatibility test of the input object, deployable object and launchable object prior to processing the input object; display a result of the compatibility test to the user (Uszok, [0073], Uszok discloses on the compatibility of bot executable code prior to download, to make sure compatibility with the system).

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANISH SIKRI whose telephone number is 571-270-1783. The examiner can normally be reached on 8am - 5pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anish Sikri
a.s.

Aug 14, 2009

/Tonia LM Dollinger/
Supervisory Patent Examiner, Art Unit 2443